

Senate File 2136 - Introduced

SENATE FILE 2136

BY DANIELSON

A BILL FOR

1 An Act relating to consideration of a minor's wishes in
2 determining custody.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.41, subsection 3, paragraph f, Code
2 2011, is amended to read as follows:

3 *f.* Whether the custody arrangement is in accord with the
4 child's wishes or whether the child has strong opposition,
5 taking into consideration the child's age and maturity. If a
6 child is fourteen years of age or older, the court shall allow
7 the child to express the child's wishes regarding custody by
8 oral testimony or deposition, unless the court determines that
9 doing so is not in the best interest of the child.

10

EXPLANATION

11 This bill provides that in determining what custody
12 arrangement is in the best interest of a minor child, if a
13 child is 14 years of age or older, the court shall allow the
14 child to express the child's wishes regarding custody by oral
15 testimony or deposition, unless doing so is determined by the
16 court to not be in the best interest of the child.